

FIRST REGULAR SESSION

SENATE BILL NO. 394

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR McKENNA.

Read 1st time January 29, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1843S.011

AN ACT

To amend chapter 650, RSMo, by adding thereto one new section relating to the Missouri urban pursuit reduction grant.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 650, RSMo, is amended by adding thereto one new section, to be known as section 650.470, to read as follows:

650.470. 1. There is hereby created in the state treasury the "Missouri Urban Pursuit Reduction Grant", which shall consist of all moneys duly authorized and appropriated by the general assembly, all moneys received from federal funds, gifts, bequests, donations, and any other moneys so designated, and all interest earned on and income generated from moneys in the fund. The state treasurer shall be the custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Moneys in the fund shall be used solely to provide grants in the amount of a fifty percent match to urban police departments which purchase real-time tagging and tracking pursuit management systems.

2. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. Only urban police departments which have a pursuit policy in place that is consistent with the state laws governing police pursuits shall be eligible for such grants. The director of the department of public safety shall determine an applicant's eligibility according to the requirements of this subsection and shall disqualify from consideration

22 any urban police department that is not in compliance with state laws
23 governing police pursuit.

24 5. Applications for matching grants shall be filed with the
25 department of public safety on forms prescribed and furnished by the
26 director of the department of public safety. The applications shall
27 include the number of pursuits engaged in by the applicant department
28 per year for each of the five years preceding the application.

29 6. The director shall approve all applications which are not
30 disqualified under the provisions of subsection 4 of this section. If
31 funding is not sufficient to award grants to all eligible applicants who
32 were not disqualified by the director of the department of public safety
33 then the director shall determine which applicants shall be awarded
34 grants on the basis of need. Need shall be determined by the average
35 number of pursuits engaged in by a department over the five years
36 preceding application with grants being awarded first to those
37 applicants with the highest average number of pursuits per year. The
38 director shall continue to award grants based on need until funds dip
39 below the dollar amount needed to provide a fifty percent match to the
40 next applicant.

41 7. The director of the department of public safety shall
42 administer the provisions of this section and may adopt all rules and
43 regulations necessary to administer the provisions of this section. Any
44 rule or portion of a rule, as that term is defined in section 536.010,
45 RSMo, that is created under the authority delegated in this section
46 shall become effective only if it complies with and is subject to all of
47 the provisions of chapter 536, RSMo, and, if applicable, section 536.028,
48 RSMo. The provisions of this section are nonseverable and if any of the
49 powers vested with the general assembly under chapter 536, RSMo, to
50 review, to delay the effective date, or to disapprove and annul a rule
51 are subsequently held unconstitutional, then the grant of rulemaking
52 authority and any rule proposed or adopted after August 28, 2007, shall
53 be invalid and void.

54 8. As used in this section the following terms shall mean:

55 (1) "Real-time tagging and tracking pursuit management system",
56 any system which deploys a projectile that attaches to a fleeing vehicle
57 during police pursuit and can be monitored in real-time using GPS
58 technology;

59 **(2) "Urban police department", any police department, sheriffs'**
60 **department, or law enforcement agency which is located in a**
61 **metropolitan area in this state with a population of at least four**
62 **hundred thousand inhabitants.**

✓

Unofficial

Bill

Copy